

**ZB# 93-38**

**Sonnie & Diane Warshaw**

**71-1-10**

Fullum.

Sept. 27, 1993.

Need copies of:

- ① Deed ✓
- ② Title Policy
- ③ Photographs <sup>only</sup>
- ④ Fees: ① 50.00  
② ~~292.00~~ 4. <sup>paid.</sup>

Applicant to recheck  
feet from Deek to rear,  
Ap to order list 9/30/93.  
(Borders Wash. Survey Condim.)  
Notice to Sentinel - 11/2/93.

Public Hearing:

December 13, 1993.

Area

Variances  
Granted

Formal decision <sup>accepted</sup>  
at 2/14/94 meeting

#93-38 - Washaw, Sonnie + Diane  
area

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12550

# GENERAL RECEIPT

13684

November 19 93

Received of

Sonnie L. Warshaw \$ 50.00

Fifty and 00/100

DOLLARS

For

Zoning Board Variance #93-38

DISTRIBUTION:

FUND	CODE	AMOUNT
CR#	4284	50.00

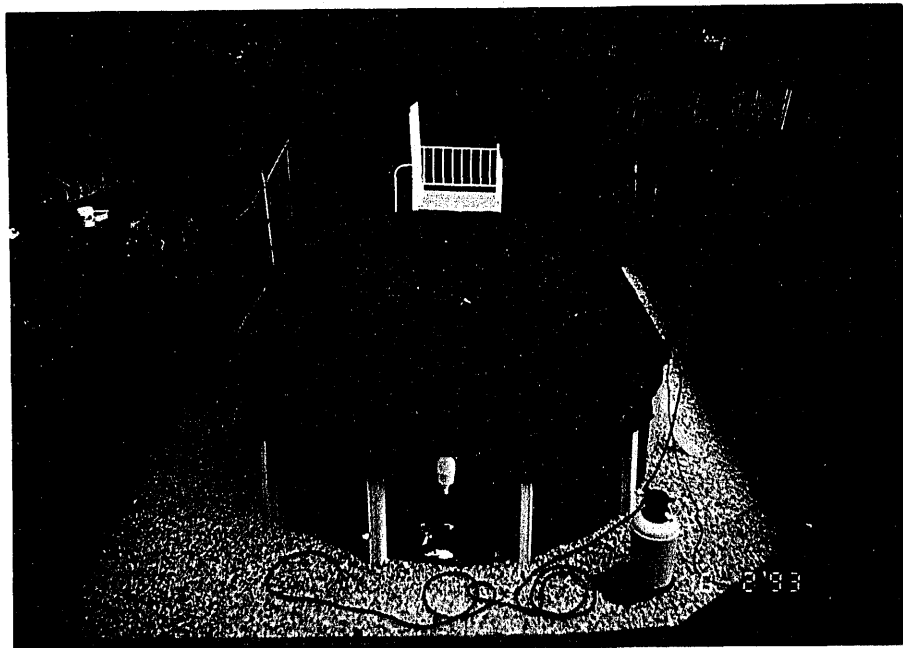
By

Pauline H. Townsend

Town Clerk

Title

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200108 - De-Cont. Terry Lorraine

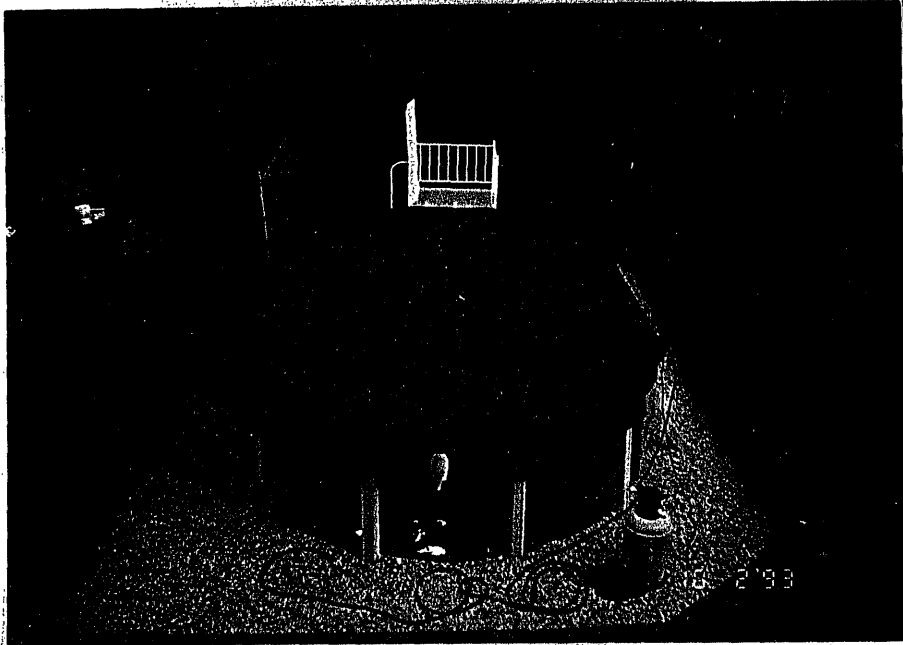
CO#108 - De-Cont. Terry

CR#	4284	50.00

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Town Clerk

Title



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Warsaw, Sonnie  
23 Vails Gate Hqts. Dr.

FILE # 93-38

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE . . . . . \$ 50.00 *CK. 4283*  
\* \* \* \* \* *Paid*

ESCROW DEPOSIT FOR CONSULTANT FEES . . . . . \$ 292.00 *CK. 4284*  
*Paid*

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE . . . . . \$ \_\_\_\_\_  
2ND PRELIM. MEETING - PER PAGE . . . . . \$ \_\_\_\_\_  
3RD PRELIM. MEETING - PER PAGE . . . . . \$ \_\_\_\_\_  
PUBLIC HEARING - PER PAGE . . . . . \$ \_\_\_\_\_  
PUBLIC HEARING (CONT'D) PER PAGE . . . . . \$ \_\_\_\_\_  
TOTAL . . . . . \$ \_\_\_\_\_

ATTORNEY'S FEES:

PRELIM. MEETING- \_\_\_\_\_ HRS. . . . . \$ \_\_\_\_\_  
2ND PRELIM. \_\_\_\_\_ HRS. . . . . \$ \_\_\_\_\_  
3RD PRELIM. \_\_\_\_\_ HRS. . . . . \$ \_\_\_\_\_  
PUBLIC HEARING \_\_\_\_\_ HRS. . . . . \$ \_\_\_\_\_  
PUBLIC HEARING \_\_\_\_\_ HRS. (CONT'D) . . . . . \$ \_\_\_\_\_  
FORMAL DECISION \_\_\_\_\_ HRS. . . . . \$ \_\_\_\_\_  
  
TOTAL HRS. \_\_\_\_\_ @ \$ \_\_\_\_\_ PER HR. \$ \_\_\_\_\_  
TOTAL . . . . . \$ \_\_\_\_\_

MISC. CHARGES:

\_\_\_\_\_ TOTAL . . . . . \$ \_\_\_\_\_

LESS ESCROW DEPOSIT . . . . . \$ \_\_\_\_\_  
(ADDL. CHARGES DUE) . . . . . \$ \_\_\_\_\_  
REFUND TO APPLICANT DUE . . . . . \$ \_\_\_\_\_

-----X

In the Matter of the Application of  
SONNIE WARSHAW,

DECISION GRANTING  
AREA VARIANCES

#93-38.

-----X

WHEREAS, SONNIE WARSHAW, 23 Vails Gate Heights Drive, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for two 6 ft. side yard variances on each side of an existing above-ground pool, to wit, one 6 ft. side yard variance on the northeast side of the applicant's property and one 6 ft. side yard variance on the southwest side of the applicant's property, and a 10 ft. rear yard variance for an existing deck, and a variance from Section 48-14A(1)(b) of the Supplementary Yard Regulations, which provides that accessory buildings (which includes the applicant's pool) shall be set back ten feet from any lot line, and a variance from Section 48-21G(1) of the Supplementary Yard Regulations, which provides that a pool shall not be located in any required side yard, and in no case closer than ten feet to any property line, all for said existing above-ground pool and deck, located on the residential parcel at the above address in a R-5 zone; and

WHEREAS, a public hearing was held on the 13th day of December, 1993 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, applicant appeared in behalf of himself and both he and Mrs. Warshaw spoke in support of the application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the provisions of the bulk regulations pertaining to both side yards and to rear yard in order to allow an existing above-ground pool and deck to remain in their present location at the residential dwelling (a townhouse) in an R-5 zone. In addition, the applicant is seeking permission to vary the provisions of the Zoning Local Law of the Town of New Windsor at Section 48-14(A)(1)(b) which provides that an accessory building (which includes the pool in question) shall be set back ten (10) feet from any lot line and Section 48-21G(1) which provides that

a pool shall not be located in between any required side yard, and in no case closer than ten feet to any property line.

3. The evidence presented by the applicant substantiated the fact that a variance for less than the allowable side yards, a variance for less than the allowable rear yard, a variance for an accessory building (which includes the pool) set back less than 10 ft. from any lot line, and a variance for a pool located in a required side yard and closer than 10 ft. to any property line, would be required in order for applicant to obtain a certificate of occupancy for the existing pool and deck located at the applicant's residential dwelling, which otherwise would conform to the bulk regulations in the R-5 zone.

4. The evidence presented by the applicant indicated that applicant constructed the pool and deck in 1984 with all of the necessary building permits (Building Permit #2492 and #2614). The applicant further indicated that he had applied for a certificate of occupancy and, after a time, his application was returned by the town with some sort of stamp on it. Applicant assumed that this indicated that the town had issued a certificate of occupancy. In actuality, there were never any certificates of occupancy issued on these two building permits because neither should have been issued before the applicant sought and obtained the variances which are the subject of this application. About three years thereafter, applicant was informed by the now building inspector that he had an illegal pool and deck, even though the original building permit was signed by Mr. Patrick Kennedy, the former building inspector.

5. The applicant now submits the instant application for area variances in order to try to obtain a certificate of occupancy for the existing pool and deck.

6. The evidence presented by the applicant indicated that his residence, which is a townhome, is located on a lot which is approximately 20 ft. wide by 150.04 ft. deep. The pool which is located in the rear yard is 12 ft. wide and 24 ft. long. A building permit was issued for the pool and deck even though there was only 4 ft. side yard on either side of the pool. Applicant stated that this was the only area within which he could locate his pool. The deck was located off of the kitchen through sliding glass doors in such a location which would be functional and provide the family with recreational outdoor living space in the spring and summer months.

7. The evidence presented by the applicant substantiated the fact that, although the deck is located off the kitchen and pool is located in the center of the narrow yard, its impact on the neighboring properties is ameliorated by fencing which the applicant has constructed around his rear and side yards.

8. No neighbors appeared at the public hearing to object to the variances sought by the applicant. Since the neighborhood is devoted to townhouses and private residences, the notice of public hearing presumably was received by a substantial number of neighbors, not one of them appeared to object.

9. The evidence presented by the applicant and the Board's familiarity with the area indicated that many of the neighboring properties are improved with decks and pools of a comparable size to the deck and pool which are the subject of this application.

10. The evidence presented by the applicant further indicated that the deck and pool could not be located in a conforming manner on applicant's lot which is only 20 ft. wide and is improved with a 20 ft. townhouse which is set back approximately 100 ft. from the rear line, and because it would be impractical to locate the deck anywhere other than adjacent to the kitchen for access and traffic flow within the house, and because it would be impractical to locate the pool anywhere other than in the center of the rear yard.

11. The evidence presented by the applicant indicated that the deck and pool could not be constructed in a conforming manner since the rear yard is already at about the minimum dimension and the lot is only 20 ft. wide so no pool could be constructed so as to require no variance because the 10 ft. side yard requirement completely exhausts the available lot width. In addition, the deck could not be constructed any narrower because it would result in a deck that will be too narrow to be usable, furniture would not fit in it, and in addition, would have been an uneconomic improvement to the house because it would not be a functional addition and would lack utility if it was located anywhere other than adjacent to the kitchen since access to the deck would be difficult. The Board finds that if the addition were constructed any narrower, it would be an uneconomic improvement to the house because applicant would never be able to recover their cost for the addition of the deck since it would not add any value or utility to the house.

12. The evidence presented by the applicant also indicated that the neighborhood surrounding the subject site is devoted exclusively to residential uses.

13. It is the finding of this Board that the requested variances, if granted, will not blight the proper and orderly development and general welfare of the community since many of the residential dwellings located in the immediate area also have decks and pools of comparable dimensions.

14. Given these factors it is the finding of this Board that the applicant's existing deck and pool have not had, and will not have, an adverse effect on property values in the neighborhood.

15. The evidence presented by the applicant further substantiated the fact that the requested variances, if granted, would not have a negative impact on the physical or environmental conditions in the neighborhood since the deck and pool enhance the residential dwelling and appear to be typical improvements in this neighborhood and thus do not detract from other neighboring properties.

16. It is the finding of this Board that the proposed variance will not adversely impact the public health, safety and



welfare.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variance for rear yard is not substantial in relation to the bulk requirements for rear yard. The requested variance for side yards are substantial in relation to the bulk regulations for side yard. However, it is the conclusion of this Board that the granting of the requested substantial area variances is warranted here because the narrow 20 ft. lot width makes it impossible to locate any pool in the rear yard without obtaining side yard variances. Applicant has also stated that several of the neighboring parcels also have decks and pools in place so such improvements appear to be part of the character of the neighborhood and do not detract therefrom.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is a self-created one since although the applicant, in good faith, applied to the town for building permits, such permits were erroneously issued before the necessary variances were obtained, and although the applicant applied for certificates of occupancy, none were issued although the applicant erroneously believed that they were duly issued. However, the applicants did not create the narrow town house lots and the rear yard so close to the required minimum as to virtually preclude the addition of any decks. Given the character of the neighborhood where many of the townhouses already are improved with decks and pools, it is the conclusion of this Board that the requested variances should be granted notwithstanding the applicant's self-created hardships. This Board considered and was gratified to see that the applicant diligently pursued the appropriate variance remedy in order to remedy this problem.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested area variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect

the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

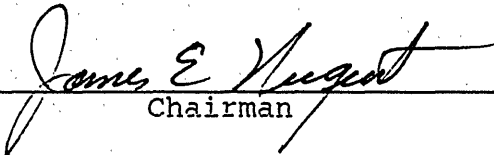
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT two 6 ft. side yard variances on each side of the existing pool, a variance for an accessory building (which includes the pool) set back less than 10 ft. from any lot line, and a variance for a pool located in a required side yard and closer than 10 ft. to any property line, and a 10 ft. rear yard variance for the existing deck, and a variance from Section 48-14A(1)(b) of the Supplementary Yard Regulations, which provides accessory buildings (which includes the applicant's pool) shall be set back ten feet from any lot line, and a variance from Section 48-21G(1) of the Supplementary Yard Regulations which provides that a pool shall not be located in any required side yard and in no case closer than ten feet to any property line, at the above location in an R-5 zone, as sought by applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: January 24, 1994.

  
Chairman

(ZBA DISK#10-101992.FD)

PUBLIC HEARING:

WARSHAW, DIANE

MR. NUGENT: Request for 6 ft. <sup>each side</sup> 6 ft. variance for each side of pool and 10 ft. <sup>rear yard</sup> variance for deck at 23 Vails Gate Heights Drive in an R-5 zone.

Mr. Warshaw appeared before the board for this proposal.

MR. LUCIA: Just for clarity, that 6 foot/6 foot could be misinterpreted as one side yard total side yard actually that is two separate side yards, six feet on each side. Why don't you explain to the board what the problem is and why you are here.

MR. WARSHAW: Well, the problem is we had been given okay's on the building certificates to put all these things up and we did. And we found out later on I think it was in '87 that we had a problem. We were told that the problem was no more. Then going back several months ago we found we had a problem again so we put in for all the variances, things that we'd need to straighten this problem out.

MR. LUCIA: I think when you were here for your preliminary at the end of September we asked you to be confident of your measurements because this was askew on the rear property line.

MR. WARSHAW: Because the way the lines on our maps were drawn so we asked for a little bit more in case there was a problem. I'm not so concerned with the pool as much as the deck measurements.

MR. LUCIA: Pool is dead center so--

MR. WARSHAW: It was a little bit off of dead center so I added a couple inches.

MR. LUCIA: So 6 foot you're confident gives you enough on the side yards?

101992.FD.

MR. WARSHAW: Yes.

MR. LUCIA: That is an accurate measurement?

MR. WARSHAW: Yes, we didn't go from the deck, I went from the steps where the deck goes down which added a couple of feet.

MR. LUCIA: So it was 90 feet clear and ten feet on the rear yard should do it. This variance includes section 47814 A(1)(b) which provides accessory building should be set back ten feet from any lot line and 4821 G 1 which provides that a pool shall not be located between any required side yard and in no case closer than ten feet to a property line so those are inherent in this variance application. Mr. Warshaw, do you feel that an undesirable change will be proposed in the character of the neighborhood or detriment produced to nearby property if this area variance is granted?

MR. WARSHAW: I have decks and pools all around me.

MR. LUCIA: Most neighbors or properties are similarly improved?

MR. WARSHAW: Yes, I have two homes down from me has one deck and pool, my one next door neighbor has a deck, no pool and is far down the line, pools and decks have been added.

MR. LUCIA: Is the benefit which you seek here achievable by some other method feasible for you to pursue other than an area variance?

MR. WARSHAW: No, it's there.

MR. LUCIA: Is the requested area variance substantial in terms of numbers? On the deck, I guess you're looking for ten foot variance on 100 foot rear yard requirement. Do you feel that is substantial?

MR. WARSHAW: I think the numbers that we gave you are sufficient, just to satisfy everybody.

MR. LUCIA: Substantial in terms of magnitude? You're

looking for ten foot variance on 100 foot, do you feel that is a large variance request or moderate variance request?

MR. WARSHAW: No, I feel it's not a large, I mean--

MR. LUCIA: How about on the pool, that one you have a ten foot side yard requirement and you're looking to vary six feet of that so that is more than half of it. Do you feel that is a substantial variance request?

MR. WARSHAW: That is fair, yes.

MR. LUCIA: In this case, your entire lot is only 20 feet wide.

MR. WARSHAW: Yes, that is why I say it's more than 50%.

MR. LUCIA: And neighbors have a pool of this size in their yard?

MR. WARSHAW: Two yards down from me, they have one.

MRS. WARSHAW: It's a smaller pool but the yard is smaller so it's almost the same.

MR. WARSHAW: A couple of feet shorter, we're 12 by 24. I think they are 10 by 18 or something like that with a smaller yard, I should say shorter yard they are all about the same.

MR. LUCIA: Will the proposed variance have an adverse effect on physical or environmental aspects of the neighborhood?

MR. WARSHAW: No.

MR. LUCIA: What's the character of the neighborhood, all residential? What's behind you to the rear?

MR. WARSHAW: Behind me is a private home, our line, attached homes right in back of me, in back of my fence there's a private home and to the right of me is a private home. All the others are all townhouses when

you go down to the corner, across the street from us from the front of my home is a townhouse, Southgate Village, like garden apartments.

MR. LUCIA: Was this difficulty self-created?

MR. WARSHAW: No.

MR. LUCIA: You thought you had done everything that the Town required and found out--

MR. WARSHAW: I did everything we were told through the Town.

MR. LUCIA: You are now pursuing this application?

MR. WARSHAW: We just want to get this straightened away and put to bed.

MR. LUCIA: Thank you. Thank you also for the copy of you deed and title policy. That turned out as almost all residential properties do a number of easements and covenants and restrictions and matter affecting the title. Is there anything to your knowledge affecting the title to this property which would prohibit you from maintaining the structures concerning which you are now seeking a variance? In other words, do you have any knowledge of anything in the title to your property which would prohibit you from having a deck that is closer than 100 feet to the rear line or pool closer than six feet to the side line?

MR. WARSHAW: No.

MR. LUCIA: Thank you.

MR. NUGENT: Any other questions by the board? Then we have no participants in the audience. Is there anyone in the public interested in this? If none, I'll close the public hearing and open it back up to the board and I'll accept a motion.

MR. LANGANKE: I make a motion we grant the application, the requested variance.

December 13, 1993

24

MR. TANNER: Second it.

ROLL CALL

MR. TANNER	AYE
MR. HOGAN	AYE
MR. TORLEY	AYE
MR. LANGANKE	AYE
MR. NUGENT	AYE

September 27, 1993

1

TOWN OF NEW WINDSOR

ZONING BOARD

SEPTEMBER 27, 1993

MEMBERS PRESENT: JAMES NUGENT, CHAIRMAN  
HERB LANGANKE  
TED TANNER  
LARRY TORLEY  
DAN HOGAN

ALSO PRESENT: MICHAEL BABCOCK  
BUILDING INSPECTOR

DANIEL LUCIA, ESQ.  
ZONING BOARD ATTORNEY

PATRICIA BARNHART  
ZONING BOARD SECRETARY

MR. NUGENT: I'd like to call the September 27 Zoning Board of Appeals meeting to order. We do not have the minutes from the 9/13/93 meeting to approve so we will put that off until the next meeting.

PRELIMINARY MEETING:

WASHAW, SONNIE

Mr. and Mrs. Sonnie Washaw appeared before the board for this proposal.

MR. NUGENT: Request for 10 ft. rear yard and 6/6 ft. side yard variances for existing deck and pool located at 23 Vails Gate Heights Drive in R-5 zone.

MR. WASHAW: We originally built our deck in 1984. We have all the papers they gave us permission to put the deck up and the pool and in 1987, we were notified we had an illegal deck. We came to Town Hall, sat down with George Green and members of the committee because

9/93



apparently there was a problem with somebody else putting a deck up and somebody was against it because they had problems with their neighbors so somehow everybody with decks was thrown into this thing. And they told me my deck was illegal. We showed them all the papers and everything that somebody named Kennedy at the time was the building inspector okayed everything, the deck, went out per his request on everything, everything was okay. Same thing with the pool. Then they told us it was illegal so we sat down at this meeting and it was a conversation with other people within the meeting and whatnot and eventually they came to me and said why are you here? I said I'm being told my deck is illegal. We had all the building permits and now you're telling me I have a problem. Meeting went on for an hour or more and finally they said to me what do you want out of this? I said I want to be left alone. I have all my papers. They tell me everything is illegal. Maybe a year later, we went to put the siding on the back of our house. So we wanted to make sure we had no problem. So we called up Town Hall and weren't able to talk to anybody at the building department. So we spoke with George Green. George told us we have no problem, do whatever you want with your house. There's no problem. Fine, so we put siding on the back of the house. Now we were thinking of closing in our deck, we came to Town Hall half a dozen times we told them about the deck and everything and said no problem, just about what the pitch of the roof was going to be and after a half of dozen times, we find out that there's certain specifications so we call up Town Hall and my wife spoke with a Mr. Babcock and they said we have an illegal deck again.

MR. NUGENT: Do you have a building permit for the deck.

MR. WASHAW: We have everything.

MR. TORLEY: Did it ever get a C.O.?

MR. WASHAW: That is the other thing we filled out a thing for a C.O. and they told you'll get it in the mail in a couple days. In a couple days we got this sheet that we filled out pink copy was stamped and

September 27, 1993

3

everything and that is what we thought was a C.O. now we're told that is not the C.O.

MR. TORLEY: When was that?

MR. WASHAW: '87, '84.

MR. BABCOCK: Big difference.

MR. WASHAW: I have another question. We tried to get all these things out when we first started they tell us that we have in our file there's absolutely nothing so we say okay, we'll come down and show you our copies. All of a sudden miraculously everything shows up, all the papers, everything. Now, this was what we filled out and they told us they would send us back certificate of occupancy, that is this is what we received back in the mail. This is what we took for a certificate of occupancy, new homeowners not dealing with Town Hall not knowing what's going on.

MR. TANNER: You said it was stamped?

MR. WASHAW: Yes, there is a stamp down here and that is how it came back so that was my certificate of occupancy.

MR. TANNER: It's an application for C.O.

MR. WASHAW: But all the building permits there was even a schematic of how it was being put up and everything, I mean.

MR. TANNER: Looks like he's done everything just didn't send him the C.O. he paid the fee.

MR. WASHAW: I did everything legal. I have neighbors all around me with illegal decks, made garages into apartments, did everything and I'm paying my taxes on everything I've done now all I wanted to do was enclose my deck and then put a deck outside that so we needed another room and all of a sudden I find I have all these problems. My wife put a call into George Green because we know him and he was apparently he hasn't returned any of our phone calls. So we just gave up on

9/93

September 27, 1993

4

that and that is when we proceeded with this. It's turned out to be a whole mess.

MR. LUCIA: You're doing the right thing by coming here. Mike, do you want to explain or me to try to explain to this gentleman?

MR. BABCOCK: Well, if you--

MR. LUCIA: Probably what happened and you're right, you have attempted to do everything by the book. One thing you didn't do I guess was come in for C.O. on both the deck and the pool.

MR. WASHAW: This is what they told us to fill out and they'd send us a C.O. it's stamped. Would you take that for a C.O., I did, I don't know about anything else.

MR. LUCIA: This would be for the deck. You never had application for C.O. on the pool, I guess you have a building permit. The normal procedure is apply for building permit once the construction is completed you call the building inspector.

MR. WASHAW: This is above-ground pool.

MR. LUCIA: Still a C.O. issued on the pool or building permit issued on the pool.

MR. WASHAW: We asked them do you need a C.O. they said no. I am a businessman, I've never been screwed around so much before. I spoke to more people just trying to do the right thing.

MR. LUCIA: What happened here and I think you're probably correct, you're trying to do the right thing. There was a change in personnel of the building inspectors office during the course of this and your different interpretations that are permissible under the building code. Apparently, Mr. Kennedy did not consider setbacks in looking at decks at the time the building permit was issued.

MR. WASHAW: He was there.

MR. LUCIA: I'm saying he didn't consider the distance from your deck to your rear line. He should have. So that building permit in essence was issued in error. You should not have been issued a building permit for the deck without first coming to the Zoning Board and getting a variance. It's too close to the back line. You're required to have 100 feet rear yard.

MR. BABCOCK: Yes.

MR. LUCIA: You're only providing 90 so you need a variance of ten before that building permit ever should have issued. Similar situation on the pool, I gather the lot is 20 feet wide?

MR. WASHAW: Yes.

MR. LUCIA: Apparently the pool comes within four feet of either side boundary.

MR. WASHAW: Pool is 12 feet wide.

MR. LUCIA: Leaving assuming it's centered you have got four feet clearance to each side.

MR. WASHAW: And I have a five foot chain link on the whole side of the property.

MR. LUCIA: A pool should be ten feet off the property line so for that extra 6 foot difference the difference between the 4 and at 10 you pool is in violation and for the same reason the building permit should not have been issued for reasons I cannot now explain to you. The building permits were issued erroneously and that is the reason you cannot get a C.O. so the only way to correct it really is to come before this board and seek a variance. I realize I think the board realizes that you have attempted to do what you thought was right and in coming here you're taking that one step further, this is the board.

MR. WASHAW: I'd like to get this thing.

MR. LUCIA: This is the board that can grant you relief

from the problem that you have. What has happened in the past I can only surmise who did what or who didn't do what--

MR. WASHAW: We're not blaming on anybody, I just want to satisfy this problem so if I want to sell my house or whatever I want to do then I don't have a problem if I want to refinance or borrow against it, I can't do it as long as things are like this.

MR. LUCIA: This is the appropriate forum in which to do it. I can't explain what happened years ago but you are where you are and this is the way to remedy the situation.

MR. WASHAW: The worse part this has gone on for so many years because after speaking with George, and he tells my wife you don't have a problem, it was our problem, we have the embarassment, don't worry about it. At the meeting, they are telling me this so I have to take their word for it.

MR. LUCIA: The other thing that happened over the years was the banks financing and refinancing got considerably more picky and years ago, they never bothered checking to see if C.O.s were issued on decks. Now they do. So that is another change that has occurred in the nine, ten years this has been going on is that back in '84, banks never looked for C.O.s on this stuff, now they do.

MR. WASHAW: Where do we go from here?

MR. LUCIA: Just explain explain to the board why it is you placed the deck where it was, why it is you located the pool based on space you had available.

MR. WASHAW: We put the deck up just the kitchen was upstairs, whenever you want to barbecue, you have to go downstairs and so we applied to put a deck. It also gave us a little area to stay without being on the grass and the pool we put in just for our own convenience for the summer months, you know we're not lake swimmers being from the City and so we just put a pool in.

MR. LUCIA: Pool is 12 feet in diameter?

MR. WASHAW: 12 by 24.

MR. LUCIA: Entire lot width is 20 feet?

MR. WASHAW: 20 Feet.

MR. LUCIA: So you located it as close to the center as you could?

MR. WASHAW: Basically centered from the house. The deck is like I say off the second floor is before it was windows we had them taken out and put sliding glass doors so we can come out on to the deck.

MR. LUCIA: The only other thing I'd ask since you're going through all the steps to do this by the numbers now is to confirm those distances that you are really right on your measurement that the deck is 90 feet and in fact four feet.

MR. WASHAW: We have the survey and Frank Lisi was there to measure everything.

MR. LUCIA: The reason for my question is you can't go by what Frank measures or doesn't measure. This board reacts to the numbers you give us so if you have a survey that confirms that then you can feel.

MR. WASHAW: This is the house and the driveway from the rear of the back is 127 feet, deck comes very, just shy of 12 feet off the back.

MR. LUCIA: The only reason for my question be confident of your numbers because we accept whatever numbers you give us. If it should turn out you needed a 12 foot variance rather than 10 foot variance, you're back here again in the future.

MR. WASHAW: He told us what we were talking about was building a ten foot deck off of this and closing the existing one just putting up some extra beams under the deck and just closing it for all weather.

MR. LUCIA: I see that your rear line goes at an angle, Mike I think the measurement probably should be to the shortest side, is that correct on the deck clearance?

MR. BABCOCK: Yes.

MR. LUCIA: It sounded that you were pointing to the--

MR. WASHAW: I'm not sure because they say it's 150 feet so you know we measure to our fence, the fence is straight in the back.

MR. LUCIA: But you're assuming that fence is dead on the property line, maybe you want to recheck the numbers just to make sure you have got a little bit of leeway there.

MR. WASHAW: My fence actually shortchanges me at the end because there was all brush and everything so we put the fence in front of it but like I said you know the way they do the survey, I don't know if it is 120 feet to this corner or 120 feet to this, the lots go down like a little bit of a pie.

MR. LUCIA: What I might suggest just recheck the numbers because we and the Town makes no independent check of your computations so we react to whatever numbers you give us.

MR. WASHAW: If it is 102 feet to the far corner.

MR. LUCIA: You're under no obligation to do it but at some point before you submit your application whether you engage a surveyor or somehow be real confident of those numbers and similarly, although I'm sure you intended to place the pool about in the center of the lot whether or not it really is four feet or what.

MR. WASHAW: On each side of our house there's an aluminum square that goes probably by the fire wall three feet into that, I'm sorry it's three feet.

MR. BABCOCK: Deck has to be three feet from the fire wall.

MR. WASHAW: That is the other problem, the deck on one part is something like four or five inches towards, did he leave the numbers with you, because he did the measurements exactly when we submitted for the deck. The other part of the process they never told us you had to be 4 feet away from each fire wall so when we did the work of course part of the house was cut out to put the sliding glass door and the deck being centered basically not centered but a little closer to one side than the other cause when they put the footings in so that is the other part of the problem.

MR. LUCIA: This board can't waive building and fire codes, that is a totally separate problem.

MR. WASHAW: We don't have a problem cutting down four inches on the deck or anything like that. That is basically what they said, just leave it alone if you move, so you might have to cut it down whatever the inches are to make up for it.

MR. LUCIA: You may have to cut it down to get a C.O. I'll leave that to the building department.

MR. BABCOCK: I talked to Mrs. Washaw several occasions and that is the first thing I told her to do and as I remember, I never talked to her personally, it was always on the phone and she hired a contractor to cut the deck down and to measure it and see how much it would cost to cut it down and the problem we talked back and forth and then I sent Frank down there to look at it and what we decided to do is what I understood Frank was going to do if they don't get the variance from this board, we don't want them to continue doing that so we want to know what they are going to do completely to see what they are going to do. If they are going to get the variance, no sense cutting part of the deck now and cutting some later so we want to make sure we know where we're going.

MR. NUGENT: That is not involved in it.

MR. BABCOCK: That is not a requirement of this board, that is what we do is if we get the variance to keep



the deck, they either have to apply to the State for the Board of Review to keep the deck there or they have to cut it down.

MR. LUCIA: Before your C.O. will issue.

MR. LANGANKE: How much do you have to cut down?

MR. WASHAW: One side was four inches and one side from where the deck is to where the glass door is is about eight inches, I'm not sure of the numbers.

MR. BABCOCK: I'm not either. I sent Frank down we're just trying to help them out because they were unclear where the fire wall started and where it stopped so I figured it be best if Frank went down there to show them. We didn't want them to cut the deck and us measure it and say you didn't cut enough.

MR. LUCIA: Just so I understand there are two different issues, this board only handles the zoning violations. You are too close to the rear lines or side lines, this board has the power to grant you a variance on those deficiencies on the building and fire code. We have no power, you can go to a State Board to seek a variance and they--

MRS. WASHAW: We said we wouldn't bother, we'd just--

MR. WASHAW: We were just going to leave it in other words if we build on it we'd bring everything down to specifications that we had to.

MRS. WASHAW: They said they wouldn't issue us another building permit.

MR. LUCIA: Because you wouldn't have a C.O. on this until you either cut it down or somehow get a State variance. Just so I understand so what they are doing they are trying to do it in two steps, this being your first hurdle.

MR. WASHAW: I'm not concerned with that because if we get this everything is going go to be put into code we're not concerned. We understand that we, Mr.

Kennedy was here that he apparently there's been a lot of problems even from other neighbors and what not when we first went into him we had checked with other neighbors because we didn't want to do something that would infringe on their privacy. We asked them about the deck do they mind if we put up a deck, no problem, they don't mind if we put a pool even the neighbors' kids that type of thing, there's no problem, that is when we proceeded with everything. Now we, Mr. Kennedy came over, the only thing he seemed to be concerned about cause if I remember correctly, we had said are there any specifications that we have to go by, the pool away from the house, building, anything, the only thing he was concerned about was the footings. So he is the Town employee. I have to go exactly by what he says.

MR. LUCIA: The board understands why you are here, that is fine.

MR. WASHAW: If we want to build now, now I have to do construction on the outside because I have to take a sliding glass door out which we didn't want to do and I have to build out the outside of my house again because now it's all sided and I have to re-side wherever I have to pull out where the bannisters are, where the excess deck is over I mean the cost now it becomes a lot more costly. I don't know if I am going to even the building unless the numbers come in right but to get the C.O. I still have to cut the deck down partially. I can leave a sliding glass door and just move the railings over, that is not a big deal but that is why we came. I want to be able to get my numbers together.

MR. LUCIA: Be confident of the measurements both to the rear yard and the side line from the pool, whether you want to go to the expense of hiring a surveyor but we're only reacting to your numbers.

MR. WASHAW: My pool is in the middle and the fence cuts off my pool. It's not like it's an open pool and I can say it's 3 1/2 feet on one side and 4 1/2 feet on the other. I can't move it anyplace else.

MR. LUCIA: We would be giving you a variance for a particular number, 6 feet on the side in this case so you need that 4 foot dimension to be accurate. Also just the way this is stated on the agenda it shows on the side yard 6/6 feet variance, maybe just for clarity, that may sound like it's a one side total side yard variance. It's actually 6 feet on either side so 6 feet on I guess the northeast side and 6 feet on the southwest side.

MR. LANGANKE: If the pool isn't centered that is a probem.

MR. LUCIA: That is right.

MR. LANGANKE: Mike, how about the fence, is that the proper height?

MR. BABCOCK: There was never any discussion on the fence.

MR. WASHAW: The fence has been there since the house has been built. They fenced in cause each yard has the same exact fences so maybe the builder must have did that when they put it in. The only thing I did was extended my fence when I bought my house, the gentleman, whoever owned it must have planted a garden so I took the fence down and planted the garden when we took over the house we extended the balance of the fence all the way back.

MR. BABCOCK: You have told Frank that you are 4 foot so you are supposed to be ten, I say he did a variance of 6 on each side, 6 foot on each side and you told Frank that you were 90 feet off the property line that is why there's a ten foot variance.

MR. WASHAW: He measured.

MR. BABCOCK: He doesn't measure, we don't do that.

MR. WASHAW: He went off the survey.

MR. BABCOCK: No, he went off your building permit application that you filled out that have says 90 feet.

MR. LUCIA: Please recheck those numbers.

MR. BABCOCK: Now that this is on an angle you know what I mean so what you need to do is really check that it's less than 90 feet.

MR. NUGENT: That is why we're telling you to make sure of your numbers because we don't want to do this over again. You don't want to do this over again.

MR. WASHAW: No, I don't, that is true.

MR. NUGENT: Any other questions by the board?

MR. LANGANKE: I have none.

MR. NUGENT: I'll accept a motion.

MR. TANNER: Make a motion we send them for a public hearing.

MR. LANGANKE: Second it.

ROLL CALL

MR. TANNER	AYE
MR. HOGAN	AYE
MR. LANGANKE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. NUGENT: The attorney will tell you what you have to do next.

MR. TORLEY: Before he starts, I have one question for the attorney. I think this is something I would only make under exceptional circumstances, I'm going to request the applicant has tried and acted in perfect good faith to live with the Town code and there's been an error on the Town employees, I don't think it's proper to charge him fees where he's trying to correct our mistake.

MR. LUCIA: There's two aspects. First I'm not sure it

was an error by Town employees. As time is goes on, interpretation of building codes tends to vary over time. What Pat did back in the '80's was the then practice and a number of other towns throughout the state. Better practice now is to go by the current state interpretation which is including deck and set backs so there are actual number of people who are now facing this kind of issue. As far waiving fees, I'm not sure without Town input we have the power to do that. We also are going to disenfranchise a whole bunch of people who have paid fees for exactly the same thing.

MR. TORLEY: I suppose if you feel that we do not have the power to waive, I'm reluctant to impose a burden on people who apparently acted in good faith, sent in the forms and if they sent in the application for the C.O. and it was stamped that paper should merely knowledge receipt of the application. There's no rejection of the C.O.

MR. BABCOCK: I wasn't here then so I don't know why they did that.

MR. TORLEY: This is absolutely not your responsibility.

MR. BABCOCK: Today it's different, it comes out of the computer.

MR. TORLEY: In this case, they submitted all the paperwork they got back what, they thought it was appropriate papers. For all we know, it's lost or stuffed under a desk.

MR. BABCOCK: In 1987, we did some inspections there based on complaints that is when we found the decks and pools and there's some corresponded that I can copy you gentlemen with to the Town Board for the Town Attorney and they did come to the Town Board meeting and that is when they were told by us listen we have to go down there and really got to look and find out what the problems are and see how we can resolve them and that is what I did.

MR. WASHAW: Were you at the Town Board meeting?

MR. BABCOCK: Yes, sir.

MR. WASHAW: Yes and you're quite aware what the whole problem was.

MR. BABCOCK: Yes, we sent you a violation for having a pool and deck without the proper variances in '87 so that is what made you come to the Town Board meeting.

MR. WASHAW: Exactly.

MR. BABCOCK: At the time, the Town Board decided that we would do a research on the whole project and see what we can come up with as far as changing the zoning what the required setbacks would be and whatever. I spent several days down there trying to figure it out and it's very tough if you have a requirement of ten foot side yard and you only have 20 foot lots. It's very tough. And I made a report back to the Town Board and that was it and then Mrs. Washaw called me up several weeks ago and told me she wanted to know what she needed to do to enclose her deck and I said let me pull her file. When I did, here's the file and I told her we still have the problem with the State Code next to the fire walls and zoning variance for the pool, deck and shed.

MR. WASHAW: There was several phone calls before my wife spoke to you that somebody told us all we got to do is give them a roof pitch, there's no other problems on several occasions and it's a good thing we were adamant to find out if there is a problem or not.

MR. BABCOCK: Did you talk to somebody other than myself?

MRS. WASHAW: The first people I spoke to they said bring me a picture of what you're going to do and the pitch for the snow.

MR. WASHAW: My wife said we live on Vails Gate Heights Drive and we're in a townhouse and nobody volunteered to say hey, there are certain restrictions. If we

weren't adamant enough and made several phone calls, I would have had an enclosed deck now and more major problem with a lot of expense.

MRS. WASHAW: I spoke to you at length several times cause I wanted to be specific.

MR. BABCOCK: The first conversation I had was I told you the zoning variance.

MR. LUCIA: The good faith of the applicant is something the board considers.

MR. WASHAW: Right now I'm going to have considerable expense just to straighten out the problem under no fault of my own.

MR. LUCIA: The board understands that but I don't think this board is in a position to give you any financial consideration. This board is the only board in town that can give you relief that you seek at this point since you're appealing the building inspector's denial so it's the only avenue we have available and there are certain fees and expenses.

MR. TORLEY: And you're sure we don't have the power to waive those?

MR. LUCIA: One, I think that is actually Town Board decision and secondly, I think we've not done it in the past and we're going to wind up with a whole bunch of screaming people saying why starting September 27 of '93 did you start waiving.

MR. TORLEY: I think in this cases the applicant has been through all the procedures a lot of people say we didn't think we had to get a C.O. 0 and building permit. There's a difference there.

MR. LUCIA: I'm not disagreeing with you but certainly I think we've had other good faith applicants similar to Mr. Washaw and still wound up higher.

MR. BABCOCK: I have another one here by the name, I think you'll remember the name Ledwith, it's the same

thing, they have got the petition back from the State they filed with the State to be able to keep their deck within three foot of the fire wall. They got their variance from here and then they went on to do that.

MR. LUCIA: Pat handed you a list of instructions there, read that over, fill out the application form that is attached and return it to Pat. If you have any questions, give her a call. She can help you with that. When you return it we'll need two checks both payable to the Town of New Windsor, one for \$50 application fee a second one for \$292, it against Town consultant review fees and other expenses the board has in handling your application. Once that come back, we'll publish legal notice and send out notices to your neighbors. I'm going to give you partial copy of Section 267B of the Town Law, I put an arrow in the margin next to the paragraph that pertains to area variances, in reading that over you'll see that this board in deciding on your area variance has to engage in a balancing test considering the benefit to you as as weighed against the detriment of the health, safety and welfare of the community by allowing you the variance. There are 5 factors so when you come back please be prepared the speak to those 5 issues specified in the paragraph. When you come back, we'd like to see copy of your deed, copy of your title policy and some photographs of the deck and pool. And also just a rear yard view just so we can see the impact on the neighbors.

MR. WASHAW: Thank you.



ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR  
COUNTY OF ORANGE : STATE OF NEW YORK

-----X  
In the Matter of Application for Variance of

Diane Warsaw

Applicant.

AFFIDAVIT OF  
SERVICE  
BY MAIL

#93-38.  
-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age  
and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On November 16, 1993, I compared the 147 addressed  
envelopes containing the attached Notice of Public Hearing with  
the certified list provided by the Assessor regarding the above  
application for variance and I find that the addressees are  
identical to the list received. I then mailed the envelopes in a  
U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart  
Patricia A. Barnhart

Sworn to before me this  
17<sup>th</sup> day of November, 1993.

Deborah Green  
Notary Public

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4984065  
Commission Expires July 15, 1995

(TA DOCDISK#7-030586.AOS)

93-38.

*Prelim.*  
*Sept. 27, 1993.*  
*Page 1 of 2*

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: AUGUST 26, 1993

APPLICANT: SONNIE AND DIANE WARSHAW  
23 VAILS GATE HEIGHT DRIVE  
NEW WINDSOR, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: AUGUST 26, 1993

FOR (BUILDING PERMIT): FOR EXISTING REAR DECK. BP#2614

LOCATED AT: 23 VAILS GATE HEIGHTS DRIVE

ZONE: R-5

DESCRIPTION OF EXISTING SITE: SECTION: 71, BLOCK: 1, LOT: 10

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. INSUFFICIENT REAR YARD SET BACK FOR DECK.  
PERMIT ISSUED OCTOBER 8, 1984 BUILDING PERMIT #2614

*Mark J. Jasi*  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: R-5	USE G-13	
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD		
REQ'D TOTAL SIDE YD		
REQ'D REAR YD.	100FT.	90FT. 10FT.

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT  
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD

CC: Z.B.A., APPLICANT, B.P. FILES.

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: AUGUST 26, 1993

APPLICANT: SONNE AND DIANE WARSHAW  
23 VAILS GATE HEIGHTS  
NEW WINDSOR, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED: AUGUST 26, 1993

FOR (BUILDING PERMIT): 4FT. ABOVE GROUND POOL. BP #2492

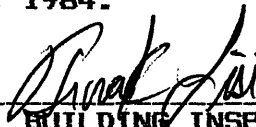
LOCATED AT: 23 VAILS GATE HEIGHTS DRIVE

ZONE: R-5

DESCRIPTION OF EXISTING SITE: SECTION: 71, BLOCK: 1, LOT: 10

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. INSUFFICIENT SIDE YARD SET BACK FOR 4FT. ABOVE GROUND POOL.  
BUILDING PERMIT ISSUED JUNE 11, 1984.

  
BUILDING INSPECTOR

\*\*\*\*\*

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE: R-5      USE G-13		
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD      10	4FT. EACH SIDE	6FT./6FT.

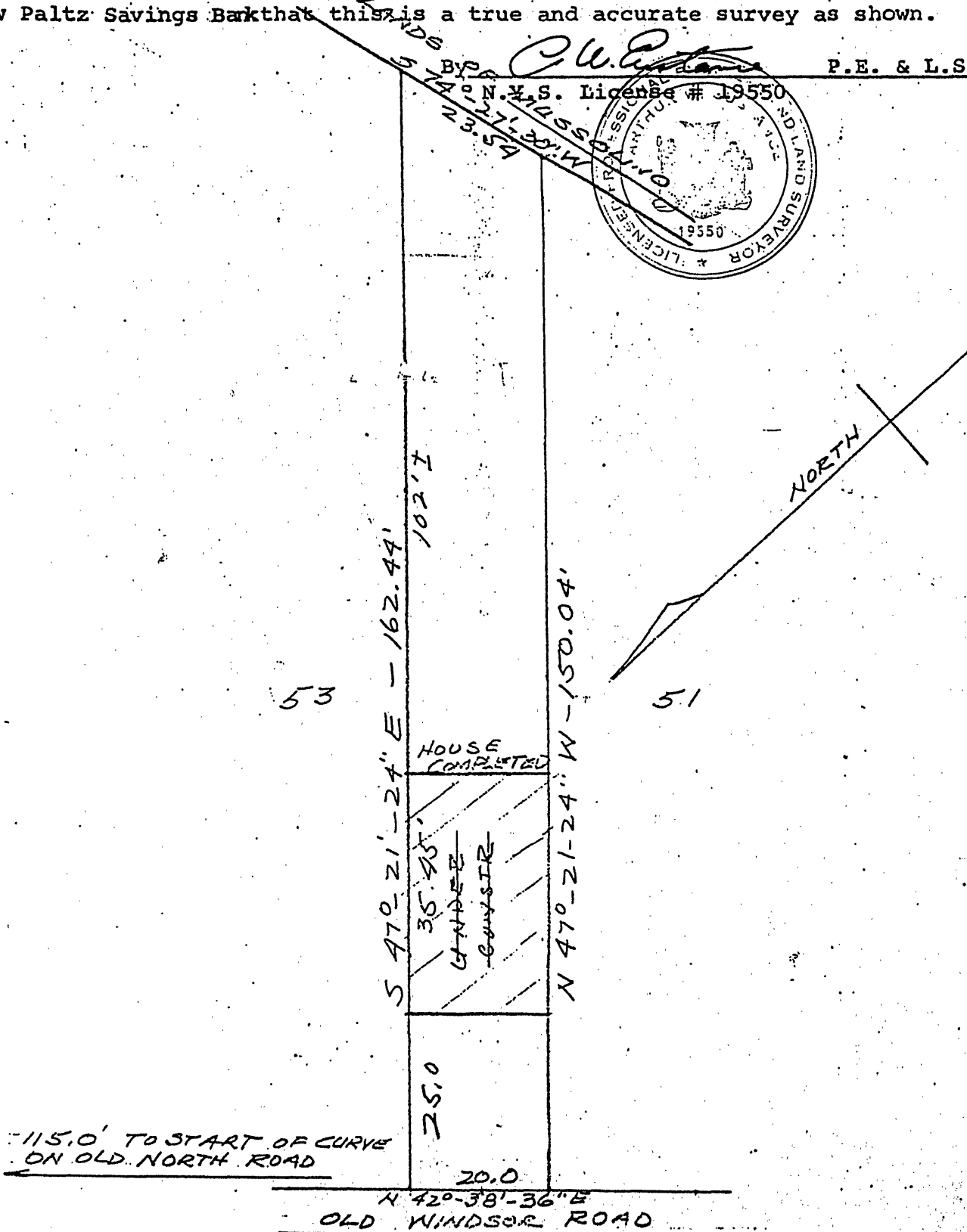
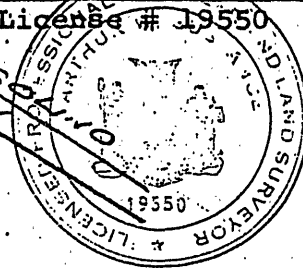
APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT  
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD

CC: Z.B.A., APPLICANT, B.P. FILES.

I hereby certify to the United Institutional Servicing Company and the New Paltz Savings Bank that this is a true and accurate survey as shown.

By *[Signature]*  
N.Y.S. License # 19550

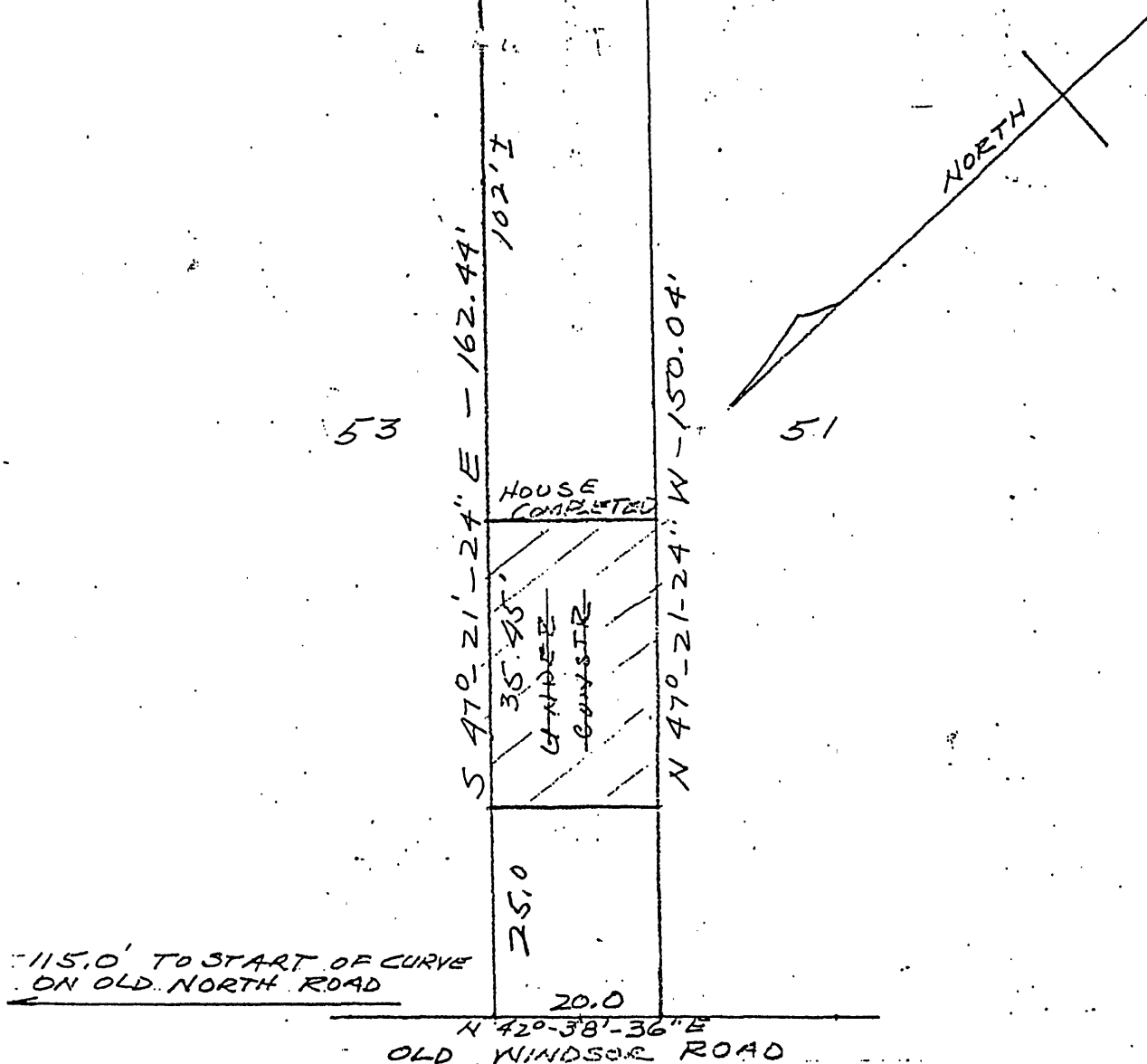
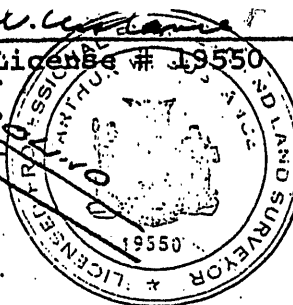
P.E. & L.S.



PLOT PLAN  
BLOCK A LOT 52

OLD WINDSOR ESTATES

W. W. W. S. License # 19550



PLOT PLAN

BLOCK A LOT 52

OLD WINDSOR ESTATES

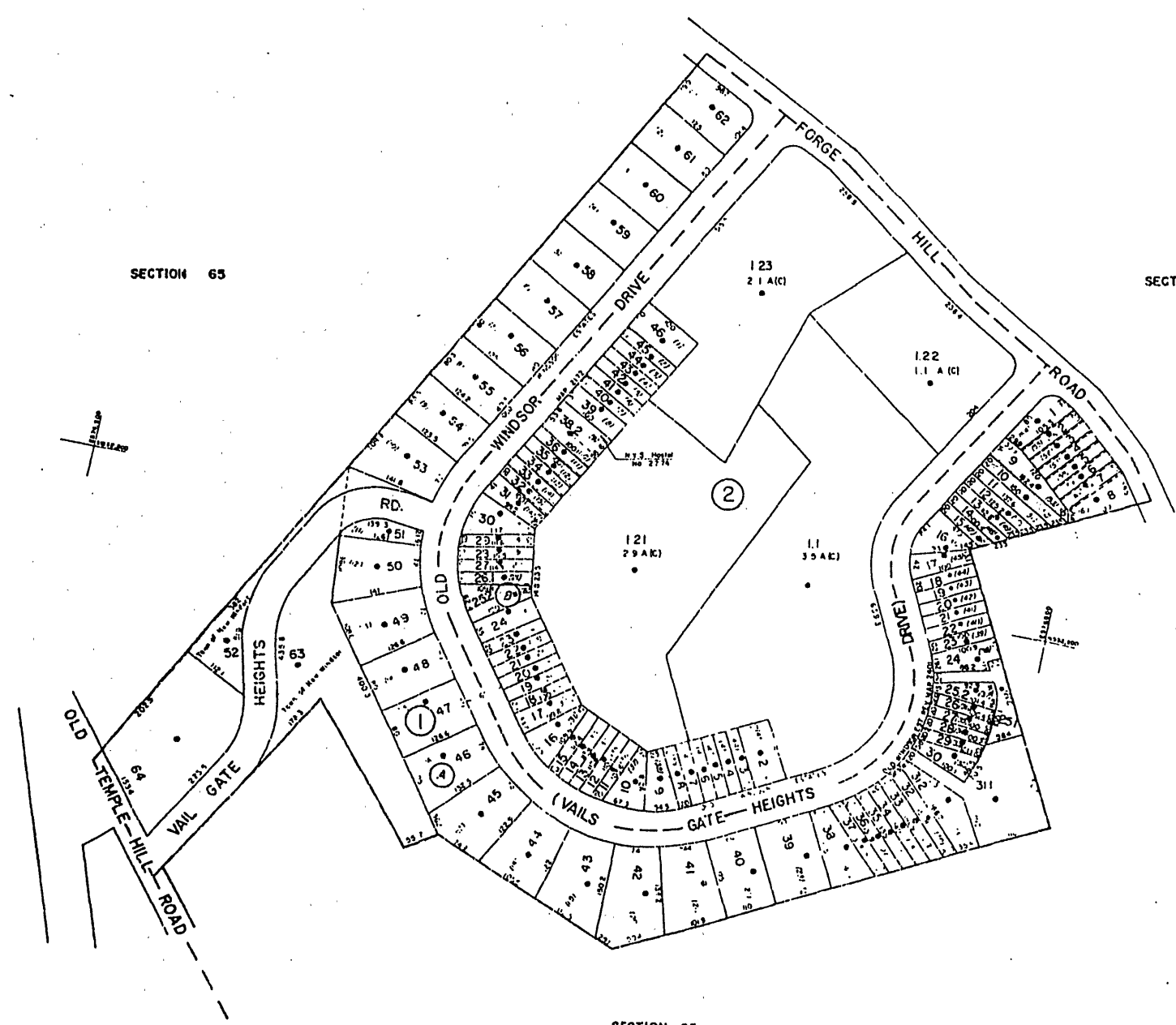
TOWN NEW WINDSOR ORANGE CO. N.Y.

SCALE - 1" = 20'

AUGUST 23, 1968

REVISED 11/21/68

EUSTANCE & HOROWITZ 1968  
CIRCLEVILLE, N.Y. 10119



277

ALL NEWBURGH SCHOOL DISTRICT  
ALL VAIL GATE FIRE DISTRICT

Prepared by  
ORANGE CO. TAX MAP DEPT.  
MAIN ST., GOSHEN, N. Y. 10924  
FOR TAX PURPOSES ONLY  
NOT TO BE USED FOR CONVEYANCE

LEGEND			
STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK & SECTION LIMIT	WATCH LINE	AREAS	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREAMS	SUBDIVISIONS	COUNTY HIGHWAYS
PROPERTY LINE			TOWN POND

ORANGE COUNTY-NEW YORK  
Photo No. 8-497458-499 Date of Map: 3-22-68  
Date of Photo: 3-65 Date of Revision: 3-1-91  
Scale: 1" = 100'

TOWN OF NEW WINDSOR  
Section No. 71

*Pls. publish on or before 12/1/93. Send bill to below applicant.*

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 93-38

Request of Sonnie & Diane Warshaw.

for a VARIANCE of

the regulations of the Zoning Local Law to

permit granting of certificate of occupancy & rear yard variance for existing deck, and insufficient side yard for existing pool;  
being a VARIANCE of

Section 48-12 - Table of Use/Bulk Regs. - Col. G & F  
for property situated as follows:

23 Vails Gate Heights Dr., New Windsor  
N.Y., known as tax map Section 21-  
Blk. 1 - Lot 10.

SAID HEARING will take place on the 13<sup>th</sup> day of December, 1993, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock P. M.

James Nugent.  
Chairman

By: Patricia A. Barnhart, Secy.

# This Indenture,

Made the 17<sup>th</sup> day of November, nineteen hundred and eighty.

Between MICHAEL PALMA and FELICIA PALMA, husband and wife, both residing at 6401-77 Place, Middle Village, New York,

parties of the first part, and

SONNIE WARSHAW and DIANE WARSHAW, husband and wife, both residing at 2275 Barker Avenue, Bronx, New York,

parties of the second part:

Witnesseth, that the parties of the first part, in consideration of TEN AND 0/100----- (\$10.00)-----Dollars, lawful money of the United States, and other good and valuable consideration paid by the parties of the second part, do hereby grant and release unto the part their heirs of the second part, and assigns forever,

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, shown and designated as Lot No. 52, Block A, on a certain map entitled "Old Windsor Estates, Town of New Windsor, Orange County, N.Y.", dated April 20, 1965, made by Henry Horowitz, and filed in the Office of the Clerk of Orange County on December 3, 1965, in Book 4, Page 40, as Map No. 2172.

TOGETHER WITH an easement for street purposes over the streets shown on said map to the nearest public highway.

RESERVING expressly the fee title to the street lying in front of the above described lot for the sole purpose that the said street will be conveyed to the Town of New Windsor, Orange County, New York, and dedicated as a public highway.

TOGETHER WITH and SUBJECT TO party walls along part of the northerly and southerly lines of the above described premises.

SUBJECT TO CONVENANTS AND RESTRICTIONS made by VAILSGATE CONSTRUCTION CORP. dated July 22, 1968, and recorded in the Office of the Clerk of Orange County on September 5, 1968, in Liber 1802 of Conveyances, page 1090.

SUBJECT to easements, agreements, covenants and restrictions of record if any.

BEING the same premises described in a deed dated June 24, 1980, from Gilbert and Judith A. Nicholas to Michael and Felicia Palma which deed was thereafter recorded in the Orange County Clerk's Office on July 2, 1980, in Liber 2169 of Deeds at page 114.

This conveyance is made and accepted subject to an indebtedness secured by a mortgage upon said premises held by Intercounty Savings Bank, New Paltz, New York, which said mortgage was recorded in the Orange County Clerk's Office on September 8, 1969 in Liber 1521 of Mortgages at page 1011. and upon which there remains unpaid the aggregate principal sum of \$16,638.06 at the rate of 6-3/4% per annum, together with escrow funds, which said mortgage debt the parties of the second part hereby assume and agree to pay as part of the purchase price of the above described premises and the parties of the second part hereby execute and acknowledge this instrument for the purpose of complying with the provisions of Section 5.705 of the General Obligation Law.



Together with the appurtenances and all the estate and rights of the parties of the first part in and to the said premises.

To have and to hold the premises herein granted unto the parties of the second part, their heirs and assigns forever, as tenants by the entirety.

And the said grantors covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever

And The grantors, in compliance with Section 13 of the Lien Law, covenant as follows: That they will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that they will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the parties of the first part have hereunto set their hand and seal the day and year first above written

In the Presence of:

Michael Palma  
Michael Palma  
Felicia Palma  
Felicia Palma  
Sonnie Warsaw  
Sonnie Warsaw  
Diane Warsaw  
Diane Warsaw

State of New York, County of

ORANGE

SS.:

On the 17<sup>th</sup> day of November, nineteen hundred and eighty before me personally came Michael Palma, Felicia Palma, Sonnie Warsaw and Diane Warsaw, to me known to be the individuals described in, and who executed, the foregoing instrument, and acknowledged that they executed the same.

Daniel J. Bloom  
Notary Public

DANIEL J. BLOOM  
Notary Public, State of New York  
Residing in Orange County  
Commission Expires March 31, 1992

2179 1111

# Deed.

**TO**

Dated, November 17, 1980

County Clerk's Office, s.s.  
Recorded on the 20th day  
of Nov. 1980 at 9:03  
o'clock A M. in Liber 2179  
Books at page 110  
and Examined.

 $R + R$  为:

Bernard H. Selzer, Esq.  
600 Old Country Road  
Garden City, New York 11530

DANIEL J. BLOOM  
PETER E. BLOOM

ATTORNEYS AT LAW

ROUTE 94  
POST OFFICE BOX 477  
VAILS GATE, NEW YORK 12584

OFFICE 914 561-6920  
D. J. B. 914 534-7005  
P. E. B. 914 561-5005

MAILS GATE, NEW YORK 12584 P. E. B. 914 551-5005  
Hil-Z-Sale Rep. form

LIBR 2179 MAR 11 '32

## POLICY OF TITLE INSURANCE



**american title insurance company**  
new york division

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DEPT. OF TAXATION  
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SCHEDULE

SCHEDULE "A"  
HN 12 906 F

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, County of Orange, and State of New York, shown and designated as Lot No. 52 in Block A, on a certain map entitled "Old Windsor Estates, Town of New Windsor, Orange County, N.Y.", dated April 20, 1965, made by Henry Horowitz and filed in the Office of the Clerk of Orange County on December 3, 1965 in Book 4, page 40, as Map No. 2172.

(Continued)

## SCHEDULE B

TITLE NO.

The following estates, interests, defects, objections to title, liens and incumbrances and other matters are excepted from the coverage of this policy:

1. Defects and incumbrances arising or becoming a lien after the date of this policy, except as herein provided.
2. Consequences of the exercise and enforcement or attempted enforcement of any governmental, war or police powers over the premises.
3. Any laws, regulations or ordinances (including, but not limited to zoning, building, and environmental protection) as to the use, occupancy, subdivision or improvement of the premises adopted or imposed by any governmental body, or the effect of any noncompliance with or any violation thereof.
4. Judgments against the insured or estates, interests, defects, objections, liens or incumbrances created, suffered, assumed or agreed to, by or with the privity of the insured.
5. Title to any property beyond the lines of the premises, or title to areas within or rights or easements in any abutting streets, roads, avenues, lanes, ways or waterways, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement, unless this policy specifically provides that such titles, rights, or easements are insured. Notwithstanding any provisions in this paragraph to the contrary, this policy, unless otherwise excepted, insures the ordinary rights of access and egress belonging to abutting owners.
6. Title to any personal property, whether the same be attached to or used in connection with said premises or otherwise.

(Continued)

SCHEDULE " B "  
TITLE NO. HN 12 906 F  
POLICY NO. 283987

7. Rights if any, in favor of any electric light or telephone company to maintain guy wires, extending from said premises to poles located on the roads on which said premises abut, but policy does insure, however, that there are no such agreements of record in connection therewith, except as shown herein.
8. Underground encroachments and easements, if any, including pipes and drains, and such rights as may exist for entry upon said premises to maintain and repair the same, but policy insures however, that there are no such agreements of record in connection therewith, except as shown herein.
9. The exact acreage of the premises herein is not insured.
10. Riparian rights if any, in favor of the premises herein are not insured.
11. Rights of others to drain through creeks, or streams, if any, which cross premises and the natural flow thereof is excepted.
12. Grants: Gas & Electric Easement: Liber 695 cp. 7  
New York Telephone Co. - Utility Grant: Liber 1477 cp. 455  
Central Hudson Gas & Electric - Utility Grant: Liber 722 cp. 281  
Central Hudson Gas & Electric - Utility Grant: Liber 723 cp. 213  
Drainage Easement: Liber 902 cp. 184  
Central Hudson Gas & Electric - Utility Grant: Liber 1632 cp. 848  
Sewer Easement dated May 22, 1967, Declaration: Liber 1802 cp. 1090  
Party Walls referred to in record description.
13. Survey dated August 23, 1968, revised November 21, 1968, by Eustance and Horowitz, shows premises with house completed within bounds.  
  
Personal Inspection completed June 19, 1980, shows no changes except: Macadam Drive added from street; cement slab at rear of house; chain link fences along northeast and southwest line, apparently on line; cement steps at front of house; signs erected indicate street upon which premises abuts is called "Vails Gate Heights Drive" not "Old Windsor Road".  
  
Subject to changes since date of survey.

(Continued)

SCHEDULE " B "  
TITLE NO. HN 12 906 F  
POLICY NO. 283987

14. No lands lying in the bed of any street or road abutting or bounding premises are insured.
15. Rights of others in and to party walls along the south-east and northwest lines are excepted.
16. Subject to mortgage dated September 6, 1968 made by Vailgate Construction Corp. to County Trust Company, in the amount of \$20,500.00, recorded September 10, 1968 in the Orange County Clerk's Office in Liber 1519 mp. 430.

Said mortgage assigned to United Institutional Servicing Corp., dated December 19, 1968 and recorded September 8, 1969 in the Orange County Clerk's Office in Liber 1521 mp. 1009.

Mortgage again assigned to New Paltz Savings Bank, dated July 14, 1969, and recorded September 8, 1969 in the Orange County Clerk's Office in Liber 1521 mp. 1011.

Said mortgage assumed by recitation in Liber 2179 cp. 1110.

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 93-38.

Date: \_\_\_\_\_

I. ✓ Applicant Information:

- (a) Sonnie + Diane Warshaw 23 Vails Gate Hgts Dr  
(Name, address and phone of Applicant) New Windsor NY 12583 (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) RS 23 Vails Gate Hgts Dr NW 71-1-10 20 x 150.04  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? C
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1980
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO  
If so, when? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. Use Variance. NA

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



N/A  
 (b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F&G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>10 ft.</u>	<u>4 ft. each side</u>	<u>6 ft. / 6 ft. each side pool</u>
Reqd. Rear Yd. <u>100 ft.</u>	<u>90 ft.</u>	<u>10 ft. - (Deck)</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		
Parking Area		

\* Residential Districts only

\*\* No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

We were already granted bldg permit & Co. application in 1984. We feel this variance is in order at this time Deck & pool will not cause a detriment since they have been standing since 1984. There are other decks & pools as well in this neighborhood that only enhance our properties. Since an error was made by your office in 1984 - we feel the variance should be granted now.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_  
\_\_\_\_\_.

VII. Interpretation. *N/A*

- (a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

- (b) Describe in detail the proposal before the Board:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

✓ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

*Pool has a safety ladder & 5' chain link fence enclosing yard. Deck has made our property more desirable & has increased our property value. Since 1/984 when assessed on the date of the deck - so the town also is reaping the benefit of my deck.*

✓ IX. Attachments required:

- ✓ Copy of referral from Bldg./Zoning Insp. or Planning Bd.  
✓ Copy of tax map showing adjacent properties.





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

144

October 27, 1993

Sonnie & Diane Warshaw  
23 Vails Gate Heights Drive  
New Windsor, New York 12553

Re: Tax Map Parcel 71-1-10

Dear Mr. & Mrs. Warshaw:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$159.00, minus your deposit of \$25.00. Please remit the balance of \$134.00 to the Town Clerk's office.

Sincerely,

*Leslie Cook/CP*

LESLIE COOK  
Sole Assessor

LC/cp  
Attachments  
cc: Pat Barnhart

Encke, Catherine & John P.  
353 Old Forge Hill Rd.  
New Windsor, NY 12553

Sieban, Katherine E. & Christopher D. Gallagher  
351 Old Forge Hill Rd.  
New Windsor, NY 12553

Stingo, Frank R. & Esther  
349 Old Forge Hill Rd.  
New Windsor, NY 12553

Johnson, Mark A. & Yutta W.  
347 Old Forge Hill Rd.  
New Windsor, NY 12553

Brock, Michael & Sheila  
345 Old Forge Hill Rd.  
New Windsor, NY 12553

Maisonet, Luis Rosado & Jeanine  
343 Old Forge Hill Rd.  
New Windsor, NY 12553

Martini, Paul M. & Irma A.  
341 Old Forge Hill Rd.  
New Windsor, NY 12553

Selby, Edmond M.  
335 Old Forge Hill Rd.  
New Windsor, NY 12553

Estremera, Rose  
21 Vails Gate Heights Dr.  
New Windsor, NY 12553

Perry, Ronald & Marie A.  
25 Vails Gate Heights Dr.  
New Windsor, NY 12553

Levy, Barbara  
27 Vails Gate Heights Dr.  
New Windsor, NY 12553

Palumbo, Phyllis  
29 Vails Gate Heights Dr.  
New Windsor, NY 12553

Tong, Michael & Ong, See Tien  
235 Parkville Ave.  
Brooklyn, NY 11230

Warshaw, Steven & Ronnie  
33 Vails Gate Heights Dr.  
New Windsor, NY 12553

Skopin, Raymond P. & Grace E.  
35 Vails Gate Heights Dr.  
New Windsor, NY 12553

Schmidt, Vincent J. & Gertrude E.  
37 Vails Gate Heights Rd.  
New Windsor, NY 12553

Zelkind, Frederick S. & Thelma  
39 Vails Gate Heights Dr.  
New Windsor, NY 12553

Coyle, Stephen P. & Annelie  
41 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Baker, Meredith Elaine  
43 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Shapiro, Martin & Frances  
45 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Hunger, Leonard & Lucy  
47 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Navedo, Juvencio  
49 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Maidman, Bertrand & Myra  
51 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Schmidt, Carina A.  
323 Old Forge Hill Rd.  
New Windsor, NY 12553

Diaz, Rafael & Dolores  
53 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Asmann, Ulrich & Linda  
99 Montgomery St.  
Newburgh, NY 12550

Scheiner, Isaac & Sally  
17 Marion Dr.  
Newburgh, NY 12550

Isaacs, Christopher A. & Jackson, Sandra  
59 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Herring, David & Edith  
61 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Martini, Peter & Lucy  
PO Box 331  
Vails Gate, NY 12584

Blooming Grove Operating Co., Inc.  
PO Box 188  
Washingtonville, NY 10992

Reed, Barbara  
65 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Yelin, Bella  
50 Parker Ave.  
New City, NY 10956

Dugan, Dennis P.  
69 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Petrolese, Salvatore & Concetta  
71 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Christianson, Alton D. & Theresa  
327 Old Forge Hill Rd.  
New Windsor, NY 12553

Ware, Jerline & Zelda  
329 Forge Hill Rd.  
New Windsor, NY 12553

Mihalco, Emil Jr. & Sopiell, Bernice  
54 Knox Village  
New Windsor, NY 12553

Windsor Properties  
c/o Peck & Heller, Mortgage Acct.  
2301 Lincoln Bldg.  
60 E. 42nd St.  
New York, NY 10165

Heinrich, James & Harry  
176 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Lee, Clarence & Edie M.  
178 Vails Gate Hgts. Dr.  
New Windsor, NY 12553

Panella, Emilio as Trustee  
PO Box 573  
Vails Gate, NY 12584

Bila Partners  
158 North Main St.  
Florida, NY 10921

Vails Gate Elementary School  
98 Grand St.  
Newburgh, NY 12550

Exeter Building Corp.  
1001 Washington Green  
New Windsor, NY 12553

Thatcher, Kathleen Ann  
1025 Washington Green  
New Windsor, NY 12553

Freigenberg, Seymour & Sylvia  
1026 Washington Green  
New Windsor, NY 12553

Fry, David  
PO Box 4556  
New Windsor, NY 12553

Sliter, Dawn E. & William B. Termini  
1032 Washington Green  
New Windsor, NY 12553

Evans, Robert A. & Lydia T.  
1027 Washington Green  
New Windsor, NY 12553

Talbot, Matthew J.  
1028 Washington Green  
New Windsor, NY 12553

Dudderar, Jody  
1033 Washington Green  
New Windsor, NY 12553

Marotta, Michael & Florence  
1034 Washington Green  
New Windsor, NY 12553

Reitman, Robert N.  
1029 Washington Green  
New Windsor, NY 12553



Hack, Brian E. & Angelina  
1030 Washington Green  
New Windsor, NY 12553

Bergamini, Margaret J.  
1035 Washington Green  
New Windsor, NY 12553

Lissauer, Lawrence D.  
1036 Washington Green  
New Windsor, NY 12553

Klugerman, Joseph & Virginia J.  
1037 Washington Green  
New Windsor, NY 12553

Peterson, Alfred H. & Kathleen M.  
1038 Washington Green  
New Windsor, NY 12553

Shea, Marian H.  
1043 Washington Green  
New Windsor, NY 12553

Manzo, Jennie  
1044 Washington Green  
New Windsor, NY 12553

Moller, Eric G. & Patricia L.  
1039 Washington Green  
New Windsor, NY 12553

Craig, Joseph B. & Alice F.  
1040 Washington Green  
New Windsor, NY 12553

Montgomery, William M. & Josephine S.  
1045 Washington Green  
New Windsor, NY 12553

Halbreich, Ronald P. & Articia, Seckans  
1046 Washington Green  
New Windsor, NY 12553

Singh, Kapil Mohan & Sukhvinder Kaur  
1041 Washington Green  
New Windsor, NY 12553

Tramm, John M. & Sharon M. Gettings  
1042 Washington Green  
New Windsor, NY 12553

Kahn, Jason  
1047 Washington Green  
New Windsor, NY 12553

Zadwydas, Allan & Lucille  
1048 Washington Green  
New Windsor, NY 12553

Smith, Carol R.  
1049 Washington Green  
New Windsor, NY 12553

Babcock, Clara R.  
1050 Washington Green  
New Windsor, NY 12553

Fischer, Thomas J. & Joyce  
1055 Washington Green  
New Windsor, NY 12553

Crossley, Donna L.  
1056 Washington Green  
New Windsor, NY 12553

Moore, Laurie A.  
1051 Washington Green  
New Windsor, NY 12553

Barcia, John B. & Ida  
1052 Washington Green  
New Windsor, NY 12553

Shafer, Marlene R.  
1057 Washington Green  
New Windsor, NY 12553

Madonna, Anthony & Marie  
1058 Washington Green  
New Windsor, NY 12553

Bleimann, Gregor E.  
1053 Washington Green  
New Windsor, NY 12553

Weiner, Linelle R. & Mitchell G.  
1054 Washington Green  
New Windsor, NY 12553

Pileggi, Jr. Dominick A. & Melissa M. Peloso  
1059 Washington Green  
New Windsor, NY 12553

Crostit, Sarah A. & Mary V.  
1060 Washinton Green  
New Windsor, NY 12553

Cappuccilli, Matthew & Rosa Maria  
1061 Washington Green  
New Windsor, NY 12553

Allegra, Salvatore & Lisa Ann  
1062 Washington Green  
New Windsor, NY 12553

Malley, Barbara  
1063 Washington Green  
New Windsor, NY 12553

Emrich, Gordon & Joanne  
1064 Washington Green  
New Windsor, NY 12553

Barnwell, Curtis & Collettera  
1069 Washington Green  
New Windsor, NY 12553

Roberts, Ronald G. & Sheridan  
1070 Washington Green  
New Windsor, NY 12553

O'Neill, William A. & Alene J.  
1071 Washington Green  
New Windsor, NY 12553

Mantz, Michael Z.  
1072 Washington Green  
New Windsor, NY 12553

Fairbrother, William V. & Irene M.  
1199 Washington Green  
New Windsor, NY 12553

Pobega, Mario  
1200 Washington Green  
New Windsor, NY 12553

Pezzello, Joseph & Alissa Schultz  
1201 Washington Green  
New Windsor, NY 12553

Fodor, Kerri  
1202 Washington Green  
New Windsor, NY 12553

Shikari, Zohair A. & Aziza A.  
62-74 Mt. Olivet Crescent  
Middle Village, NY 11379

Freeman, John J. Jr. & Phyllis R.  
1100 Washington Green  
New Windsor, NY 12553

Dumoulin, Susan D.  
1101 Washington Green  
New Windsor, NY 12553

Sarff, Barbara Jean  
1102 Washington Green  
New Windsor, NY 12553

Brunetto, Joseph E. & Robyn K.  
1175 Washington Green  
New Windsor, NY 12553

Vanderoef, Raymond B. & Joyce B.  
1176 Washington Green  
New Windsor, NY 12553

Robertson-Sasso, Linda  
1181 Washington Green  
New Windsor, NY 12553

Schiller, Jonathan & DeAnne Gleeson Schiller  
1182 Washington Green  
New Windsor, NY 12553

Aulogia, Louis & Elaine  
1177 Washington Green  
New Windsor, NY 12553

Astrab, Russell J.  
1178 Washington Green  
New Windsor, NY 12553

Gonzalez, Leo  
1183 Washington Green  
New Windsor, NY 12553

Grunfeld, Audrey  
1184 Washington Green  
New Windsor, NY 12553

Whitehead, Shawn  
1179 Washington Green  
New Windsor, NY 12553

Vargas, Eddie Jr. & Janna J.  
1180 Washington Green  
New Windsor, NY 12553

Cruz, Kelvin & Carmen I.  
1185 Washington Green  
New Windsor, NY 12553

McLaren, Michael J. & Dina C. Campo  
1186 Washington Green  
New Windsor, NY 12553

Reis, Mary M. & Lawrence  
1187 Washington Green  
New Windsor, NY 12553

Napoli, Timothy & Soderblom Sharon A.  
1193 Washington Green  
New Windsor, NY 12553

Dunn, Gaylord J. & Dorothy G.  
1194 Washington Green  
New Windsor, NY 12553

Boyes, Rosemary A. & Stanley M.  
1204 Washington Green  
New Windsor, NY 12553

Davis, Jacqueline L. & Iannucci, Philip Jr.  
1190 Washington Green  
New Windsor, NY 12553

Volpe, Nancy & Ferina Tillie  
1195 Washington Green  
New Windsor, NY 12553

Hippeli, George J. & Carole A. Potter  
1196 Washington Green  
New Windsor, NY 12553

Scollan, Maureen F.  
1191 Washington Green  
New Windsor, NY 12553

Linhares, Robert E. & Linda J.  
1192 Washington Green  
New Windsor, NY 12553

Lagasse, Dale J. & Cross, Geraldine F.  
1197 Washington Green  
New Windsor, NY 12553

Valentine, William & Anna L.  
1198 Washington Green  
New Windsor, NY 12553

Higgins, Lillian T. & Francis A.  
1079 Washington Green  
New Windsor, NY 12553

Mellimo, Anthony E. Jr. & Michele  
1086 Washington Green  
New Windsor, NY 12553

Altiera, Ella  
1082 Washington Green  
New Windsor, NY 12553

Traub, Helen S.  
1077 Washington Green  
New Windsor, NY 12553

Fernandez, Santiago & Maria  
1078 Washington Green  
New Windsor, NY 12553

Segre, Gary S.  
1073 Washington Green  
New Windsor, NY 12553

Boyd, Glenn P. & Cynthia R.  
1074 Washington Green  
New Windsor, NY 12553

Martin, Fred M. & Jean F.  
1075 Washington Green  
New Windsor, NY 12553

Knipp, Michael & Cheryl Rabbitts  
1076 Washington Green  
New Windsor, NY 12553

McCall, Richard R. & Virginia G.  
1065 Washington Green  
New Windsor, NY 12553

DeLuccia, James J. & Eileen  
1067 Washington Green  
New Windsor, NY 12553

Thompson, Charles & Arlene  
6 Spring Rock Rd.  
New Windsor, NY 12553

Diks, Robert K. & Maureen E.  
1203 Washington Green  
New Windsor, NY 12553

Daimonti, Albert F. & Maria N.  
1205 Washington Green  
New Windsor, NY 12553

Evans, Dean & O'Malley, Joseph D.  
1207 Washington Green  
New Windsor, NY 12553

White, Arthur & Darlene  
1208 Washington Green  
New Windsor, NY 12553

Lopez, John E. & Mary Ann  
1209 Washington Green  
New Windsor, NY 12553

Cunnane, Sean P.  
1119 E. 15th St.  
Brooklyn, NY 11230

Warren, Glenn E.  
1091 Washington Green  
New Windsor, NY 12553

Pana-Sarmiento, Roberto P. & Remedios  
1092 Washington Green  
New Windsor, NY 12553

Jaworski, Margaret M. & Edmund J.  
1093 Washington Green  
New Windsor, NY 12553

Goldberg, Charles  
1094 Washington Green  
New Windsor, NY 12553

Ruggiero, Gaetano  
1095 Washington Green  
New Windsor, NY 12553

Morriss, Angela N.  
1096 Washington Green  
New Windsor, NY 12553